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Technical assistance and capacity-building

Report of the Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights*

Summary

The present report is submitted pursuant to Human Rights Council resolution 18/18, in which the Council invited the Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights to present a comprehensive report on the Board's work on an annual basis, starting from the twentieth session of the Council. It provides an update on the work of the Board of Trustees of the Fund since the previous report of the Chairperson of the Board (A/HRC/26/51).

* The annexes to the present report are circulated as received

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I. Introduction

A. Background

1. The United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, established by the Commission on Human Rights in its resolution 1987/83, receives voluntary contributions from Governments, organizations and individuals. The objective of the Fund is to provide financial support for international cooperation aimed at building up and strengthening national and regional institutions and infrastructures that will have long-term impact on improved implementation of international human rights standards.

2. The Board of Trustees has been operational since 1993 and its members are appointed by the Secretary-General for a three-year renewable term. The mandate of the Board is to assist the Secretary-General in streamlining and rationalizing the working methods and procedures of the technical cooperation programme. It meets twice a year and reports on its work to the Secretary-General and the Human Rights Council. Current members are Mariclaire Acosta Urquidi (Mexico), Christopher Sidoti (Australia), Lin Lim (Malaysia), Valeriu Nicolae (Romania) and Esi Sutherland-Addy (Ghana). Mr. Nicolae and Ms. Sutherland-Addy were appointed to the Board in January 2015, replacing Sozar Subari (Georgia) and Fatimata Mbaye (Mauritania) respectively, who ended their terms on 31 December 2014. The Board elected Ms. Acosta as chairperson from 30 June 2014 until 30 June 2015, when she will be replaced by Lin Lim, who was elected chairperson by the Board at its forty-first session, in Phnom Penh and in Bangkok.

B. Mandate

3. Throughout the period under review, the Board of Trustees continued to engage actively with the Office of the United Nations High Commissioner for Human Rights (OHCHR), including its field presences, providing advice on policy orientation and strategic vision on technical cooperation components of all its programmes. This refocused approach, which is framed within the broad definition of technical cooperation, was agreed upon by the Board of Trustees and presented to Member States in the annual report of the Secretary-General submitted to the Human Rights Council in 2011.[1]

4. The members of the Board are also the constituent members of the Board of Trustees for the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review. In that capacity, they continued to provide OHCHR with policy guidance in order to maximize the effectiveness of technical assistance and financial support for States in implementing recommendations of the universal periodic review and other international mechanisms at the State level (see A/HRC/29/22).

5. The Board sessions, held both in Geneva and in countries where OHCHR has a presence, have been particularly useful in increasing the understanding of the synergies and the mutual reinforcing aspects of the support provided by OHCHR through the two funds. These aspects, together with the discussion on the financial and administrative elements governing the two funds, help the Board members to continue to refine the various aspects of their dual and separate mandates in order to achieve their aims more effectively and to

[1] A/HRC/16/66.

strengthen further the complementarities between the two funds. For this reason, the Board encourages OHCHR to continue to develop avenues for greater integration of aspects relevant to the two funds.

6. The present report covers the fortieth and forty-first sessions of the Board in its capacity relating to the Voluntary Fund for Technical Cooperation in the Field of Human Rights. At those sessions, the Board continued to explore various components of the human rights programme funded by the Fund within the framework of the OHCHR Organizational Management Plan for 2014-2017 with a view to providing policy guidance and advice on technical cooperation by OHCHR.

II. Activities and results of the Voluntary Fund and the Board of Trustees

A. Fortieth session

7. The Board of Trustees of the Voluntary Fund for Technical Cooperation in the Field of Human Rights held its fortieth session in Geneva, from 14 to 16 October 2014. The session was chaired by Mariclaire Acosta, who had been elected Chairperson of the Board of Trustees at its thirty-ninth session. All members of the Board attended the session.

8. The main objectives of the session were to take stock of the financial and administrative situation of the fund and the plans ahead for 2015; to provide comments on the draft OHCHR practical guide on civil society space and the United Nations human rights system; to share views on current human rights challenges and issues, such as Ebola, and/or humanitarian situations, including conflict and insecurity, and their implications for meeting OHCHR targets; to acquire a better understanding of the work of Human Rights Components of United Nations peace missions in the area of technical cooperation; and to follow up on previous visits, with particular focus on the Middle East and North Africa region. The Board also took the opportunity during the session in Geneva to continue to provide expertise and advice on the thematic strategies of OHCHR and its technical cooperation components, in particular on early warning and the protection of human rights in situations of conflict and insecurity, on widening the democratic space and on human rights in development and in the economic sphere. The use of human rights indicators, their adaptation to national situations and their practical application in measuring the impact on the ground, and the tools available in the area of business and human rights, were issues paid specific attention by the Board given the interest generated during its recent visits. The Board also received an update on developments in the post-2015 development agenda.

9. The High Commissioner briefed the Board on the financial status of OHCHR and the level of voluntary contributions, including for the Voluntary Fund for Technical Cooperation in the Field of Human Rights, which unfortunately is not growing at the same pace as the requests for support and expectations from States. The Board is gravely concerned at the financial situation of OHCHR, and expressed its total support for the High Commissioner and his call for increased resources from both the regular budget of the United Nations and voluntary contributions, particularly at such a critical time, when the operational capacities of the Office should be further strengthened rather than increasingly stretched. In the light of the situation and as a way of symbolic contribution, the Board decided to hold one session only in 2015 (field session) and to postpone to 2016 its second session (the session at headquarters), which would be held in conjunction with the field session. The Board, with the support of the secretariat, is using modern technologies to provide a constant update on the management and use of the Fund.

10. The Board was pleased by the quality of information and availability of the secretariat to provide specific reports with relevant information on the use of the Fund facilitated by latest upgrades and full use of the performance monitoring system across OHCHR. The presentation by the secretariat of the specific programmes financed by the Fund by region and relevant to the various thematic strategies were complemented by briefings and discussions with staff from the Policy, Planning, Monitoring and Evaluation Service, Programme Support Management Services and the Donor and External Relations Section, who provided additional updates on the status of all financial and operational aspects of the Fund. The Board discussed with the relevant services of the Office the low level of contributions to the Fund compared with its increasing requirements, which in 2014 obliged the High Commissioner to allocate $8 million to the Fund from unearmarked contributions to OHCHR in order to close the existing funding gap under the Fund.

11. The Board was invited to provide inputs for the publication *Civil Society Space and the United Nations Human Rights System: A Practical Guide for Civil Society* produced by the Civil Society Section of OHCHR. The aim of the guide is to highlight issues relating to the work of civil society actors, with an overview of the conditions and environment needed for a free and independent civil society, including relevant international human rights standards for freedom of expression, association and peaceful assembly and the right to participate in public affairs. The guide includes examples of how Governments and civil society actors have worked together to develop space for civil society to carry out its work to advance the enjoyment of all human rights (civil, cultural, economic, political and social) for all. Some of the examples included in the guide were made possible by the support provided by the Voluntary Fund for Technical Cooperation to local partners. One example was the development of the 2012 Law for the Protection of Human Rights Defenders and Journalists in Mexico. During its visit to Tunisia in 2013, the Board had the opportunity to discuss with local partners the participation of civil society bodies in a number of initiatives during the democratic transition, including in the preparation of laws on accession to a number of international human rights treaties. The strengthening of the capacities of civil society actors to engage with international human rights mechanisms should be accompanied by instruments to respond adequately to the rise in demand. This is particularly important in the context of the regrettably increasing number of cases of reported reprisals against civil society actors in many parts of the world.

12. The Board was briefed by the Rapid Response and Peace Missions Support Section and staff on the support provided through the human rights components in United Nations peace missions. Given the complexity of such situations, the support from components is notable. The experiences shared from the work in Afghanistan, the Democratic Republic of the Congo and Haiti should be used to continue to raise the profile of components during negotiations on establishing mission mandates. The Board notes the usual practice of not allocating funds missions of this type to technical cooperation programmes focused on human rights components owing to competing priorities. This is an issue that the Board believes should be revisited and carefully analysed The Board is interested in improving its knowledge of the technical cooperation programmes of these components and is exploring possibilities to visit a peacekeeping mission in the near future.

13. The Board held discussions with relevant staff members from the Middle East and North Africa Section and the heads of OHCHR field presences in the region by means of teleconferences on relevant developments in the region since its earlier visits to several OHCHR presences. The work of the Office in the region clearly illustrates the importance of drawing on all the capacities of the Office so that technical cooperation and advisory services are based firmly on a comprehensive and coherent understanding of the particular conditions on the ground, a result of systematic monitoring and analysis. The opportunity for measurable success in the implementation of technical cooperation programmes is greater when a comprehensive strategy integrating all relevant components of the work of

the Office is in place. The medium- and long-term engagement needed to see the results of capacity-building efforts is another critical aspect. In this regard, the experiences of the offices in Tunisia and Palestine serve as an inspiration for similar programmes in other parts of the region and in other regions.

B. Forty-first session

14. Pursuant to the Board's practice of holding one of its two meetings each year in a State where OHCHR has a field presence, the forty-first session was held in Phnom Penh from 9 to 11 February 2015 and in Bangkok from 12 to 13 February 2015. This was the fourth time that a session of the Board was organized outside Geneva.

15. The visit to the OHCHR country office in Cambodia, the oldest OHCHR field presence established in 1993 tracing its origins back to the United Nations Transitional Authority in Cambodia, represented an excellent opportunity for the Board to observe in situ how the various components of the work of the Office, including its technical cooperation programmes, work together to better serve and support national efforts to ensure the enjoyment of human rights by all. The main purpose of the visits, as in the case of previous sessions and visits to the field, was to continue to gather in situ observations of the added value of OHCHR technical cooperation efforts and areas that required strengthening in the design and implementation of OHCHR programmes. The Board also had the opportunity to explore how the design and implementation of such programmes were intimately linked with all components of the various areas of work of the Office and how the Office works with the rest of the United Nations family to promote human rights.

16. The visit to the OHCHR Regional Office for South East Asia in Bangkok was an opportunity for Board members to better understand the type of support being provided from a regional setting. The Board noted that the Office had gone through important transformations for the three previous years, which have strengthened the capacity of OHCHR to respond to, and to provide support in, complex situations. The Board was pleased to be able to observe an OHCHR regional office in action, and welcomed the efforts made to strengthen the regional office further. The visit confirmed its view of the importance for OHCHR of continuing to seek to establish regional offices in all regions to ensure global coverage and the global implementation of the full mandate of the High Commissioner, in accordance with General Assembly resolution 48/141. While in Bangkok, the Board also held discussions with the human rights advisers deployed to United Nations country teams in the region. The Advisers had been deployed with support of the Voluntary Fund to States such as Sri Lanka and Papua New Guinea, or are being deployed under the United Nations Development Group – Human Rights Working Group framework to States including Timor-Leste and the Philippines.

17. In Cambodia, the Board discussed technical cooperation activities by the OHCHR presence in the country with different national authorities, United Nations partners and civil society organizations. This included visits to selected projects, such as the resettlement site at Oudong, the Court in Kampong Speu and the Correctional Centre 1, where the Board was briefed on the specific situation of human rights on the basis of the Office's observations and how specific technical cooperation programmes and advisory services supported national institutions, in particular State authorities, including the Ministry of the Interior and the Ministry of Justice, in addressing remaining challenges.

18. During the visit, the Board held discussions with representatives of the Ministry of Foreign Affairs, the Ministry of the Interior and other relevant State institutions on the support provided in various thematic areas, including through technical cooperation and advisory services, for example, on follow-up to recommendations made by human rights

mechanisms in the area of justice system reform, prison reform, implementation of the Convention against Torture and the Optional Protocol thereto, land rights and the right to housing. The situation of human rights defenders and the critical importance of keeping the space open for civil society actors in order to continue to support the State's efforts in the area of human rights were also a main area of discussions with relevant stakeholders. Particularly important for the Board was the good cooperation between the Office and the Ministry of the Interior. The Office had been able to use its convening capacity to promote dialogue and understanding on crucial current issues, including those related to access to land and the exploitation of natural resources.

19. In its discussions with representatives of the Ministry of Justice, the Board was able also to understand the progress made in strengthening the justice system in the country. One of the issues discussed with both the Ministry of the Interior and the Ministry of Justice was that of prison overcrowding, something the Board had witnessed during its visit to Correctional Centre 1. The Board was of the view that, in order to build on the achievements made to date by the ongoing technical cooperation programmes in the area of prison reform, the State could request further support from the Office, in particular on issues requiring joint action by both ministries to respond effectively to the important concerns regarding overcrowding and the large number of persons in pretrial detention. The visit to the Kampong Speu Court, which was built and operated with the support of OHCHR and the United Nations Development Programme, had given the Board the chance to observe both progress made and the challenges remaining in the area of justice reform. The Board had also observed the result of the technical cooperation efforts made in the formulation and implementation of the new Code of Criminal Procedure, including the participation of all judges and prosecutors in round-table and panel discussions across the country in order to identify challenges and possible solutions. The Board had appreciated the enormous efforts made to completely rebuild the court system in Cambodia, but remained concerned that there was still a critical need for support in order to allow the system to become fully operational. This was all the more urgent given that the Board was informed by State officials that resources were becoming extremely limited.

20. The Board had held discussions with the Cambodia Human Rights Committee on the technical support provided by OHCHR and other United Nations partners in a number of legislative processes. Concerns with regard to both the current difficulties encountered by civil society and the potential impact that proposed legislation might have on the space for civil society organizations to operate were discussed. The Board very much hoped that any initiative planned in this direction would fully take into account existing international standards and good practices around the world. Maintaining this space was essential for civil society to continue to carry out its crucial role in national development.

21. In both Phnom Penh and Bangkok, the Board held discussions with civil society representatives, at both the country and regional levels, on the increasingly restricted contexts in which they worked, the efforts of the Office to protect and increase civil society space, and the technical support received from the Office to strengthen capacities to better engage with human rights mechanisms. Other issues discussed included concerns relating to human rights defenders, the promotion of freedom of expression and assembly, and participation in national policy processes. The Board was also briefed about human rights issues relating to land and the environment, migration and the fight against human trafficking.

22. During meetings with the Board, representatives of the United Nations agencies and programmes in Phnom Penh and Bangkok confirmed the critical guiding role that OHCHR played in supporting the integration of recommendations made by international human rights mechanisms, including the special procedures, treaty bodies and the universal periodic review, into United Nations programme tools on the ground, including the United

Nations Development Assistance Frameworks. When the outcome of these mechanisms were fully integrated into the early stages of programming, planning and assessment processes, there were greater opportunities to develop sound programmes to support States' efforts to address critical human rights issues and to develop solid partnerships with relevant national institutions. In this context, discussions with human rights advisers deployed in the region were particularly enlightening with regard to opportunities and areas requiring improvement, in particular their capacity to provide technical cooperation and advisory services in collaboration with other United Nations agencies.

23. The Board took the opportunity of its visit to Bangkok to discuss (via teleconferencing) with the chairpersons of the national human rights commissions of Malaysia and the Philippines the Office's support for the establishment and strengthening of national protection systems, of which national human rights institutions that comply with the Paris Principles were a key pillar. The Board also discussed developments regarding the Intergovernmental Commission on Human Rights of the Association of Southeast Asian Nations. The Board reiterated its view that technical cooperation in the field of human rights should give high priority to the development and strengthening of national human rights systems and institutions. It was pleased to learn that 6 of the 11 States in South-East Asia had national human rights institutions, and that five of those six had "A" status. It noted the strong support given to national human rights institutions by the regional office and its close collaboration with them. It encouraged the regional office and other OHCHR field presences in the region to continue this support and collaboration.

24. The Board found that OHCHR priorities in Cambodia during the programming cycle for the period 2014-2017were in line with the expectations of national stakeholders, and that the Office continued to be seen, more than 20 years since its establishment, as a reliable partner with the capacity to respond adequately to new challenges, for example, in the area of access to land and housing. The Board considers that the Office would benefit from strengthening its efforts and capacity together with relevant State institutions to continue to provide support to turn into concrete capacity-building actions the specific needs for protection of civil society space and the work of human rights defenders and organizations that have played a critical role in supporting the advances made in the country. This is particularly relevant in preparations for the next electoral period, during which the Office could provide valuable advice within the framework of its thematic strategy on widening democratic space.

25. The Board is of the view that the programme of the Regional Office for South-East Asia is also in line with the expectations of main partners with whom the Board met, including State officials and representatives of regional institutions and national human rights mechanisms, civil society and United Nations partners. The Board encourages the Office to continue to invest in strengthening the methodologies in place for thematic research, and to improve mechanisms for data collection and data analysis and the collection of lessons learned and good practices. The Board is particularly pleased with the recent strengthening of the capacities of the Regional Office to respond to humanitarian emergencies and to enlarge its thematic expertise, for example in the area of land-related issues. The Board encourages OHCHR to continue to deploy thematic expertise to its regional presences in order to make such expertise more readily available at the regional and country levels.

26. The Board was most impressed again with the dedication and commitment of so many of the OHCHR and other United Nations staff member that it met during its visits. These officials work often in difficult and challenging contexts. They are often confronted with situations where they are required to work in isolation from other colleagues and, in many cases, from their families. Throughout its visits, the Board observed the incredible added value of staff members who had experience from the different parts of the Office,

across regions and within various parts of the United Nations system in supporting building solid programmes and partnerships on the ground.

27. As demonstrated throughout the recent visits and the discussions held with all partners on the ground, direct exposure to the situation on the ground is particularly helpful for the Board when identifying and proposing advice on ways to continue to strengthen the technical cooperation of the Office. The availability of the Office and opportunities it has to be present in places where action is needed and to use all possible tools within the full scope of the mandate of the High Commissioner is critical for the implementation of effective technical cooperation. During the Board's visits to Africa, the Americas and Asia, as in its latest thematic reports to the Human Rights Council on technical cooperation and national policies and inclusive and participatory development,[2] and in the annual reports of the Office, numerous good practices yielding key measurable results have been identified and documented. These are experiences that could be replicated or emulated in other parts of the world.

28. The Board took the opportunity of part of its last day in Bangkok to hold an internal meeting to continue discussions on its future programme. During the meeting, the Board formally welcomed the two newly appointed members, Esi Sutherland-Addy and Valeriu Nicolae. Lin Lim was elected chairperson of the Board to succeed Ms. Acosta from 1 July 2015. The Board also proposed to explore the possibility of focusing the next field session in 2016 on the Europe and Central Asia Region and combining it with the shortened, postponed annual session in Geneva.

III. Technical cooperation

A. Technical cooperation, the broadest possible participation of all elements of national societies and its complementarity to efforts of regional and subregional human rights mechanisms

29. The Board has brought to the attention of the Human Rights Council a number of components for effective technical cooperation by OHCHR that have become evident in its experience of overseeing the management of the Voluntary Fund. The Board, through its reports and presentations to the Council, has already elaborated on (a) the importance of anchoring technical cooperation to the universality and indivisibility of all human rights, including its protection and promotion aspects; (b) the critical importance of building and strengthening national frameworks and institutions in the field of human rights through technical cooperation and advisory services with the support of OHCHR; and (c) the importance of partnerships with United Nations entities on the ground.

30. As part of its programme of work for the coming years, the Board would like to continue to elaborate on the main elements of the above-mentioned components, as it considers that this could be beneficial for supporting the Office in the implementation of the technical cooperation aspects of its programme for 2014-2017 and subsequent ones. In the present report, the Board elaborates on its view that, for technical cooperation programmes to be successful and effective, they should ensure the broadest possible participation of all elements of national societies and be complementary to efforts of regional and subregional human rights mechanisms, one of the mentioned components.

[2] A/HRC/27/41 and A/HRC/28/42.

31. Effective technical cooperation must be based on the broadest possible participation and consultation with all the elements of national society. This aspect is a key element to achieving the two main of objectives of technical cooperation, namely, to improve the promotion and protection of human rights for all, and to ensure the sustainability of outcomes.

32. The term "participation" should be understood as an inclusive term that refers to engagement with all relevant actors in all the stages of the technical cooperation process, from needs assessments to the design, formulation, implementation, monitoring and evaluation of impact of these programmes. It should be noted that, in this case, both the process and the outcome are equally important and mutually dependent. There can be no good human rights outcome without a good human rights process. Investing in the full participation of all sectors is crucial in ensuring that efforts to strengthen national protection mechanisms, including through better legislation, policies and institutions, are built and developed in a sustainable manner, and that investment continues to yield results once technical support comes to an end.

33. Participation is a fundamental human rights principle – a human right in itself – and central to the efficiency and sustainability of development efforts, including through technical cooperation and assistance. It demands that all persons from all sectors of society be entitled to active, free, meaningful and informed participation in any efforts of the State aimed at realizing the full enjoyment of life in dignity. The enjoyment of the right to participation depends on the realization of other human rights, including the rights to freedom of association, assembly and expression, just to mention a few. To enable meaningful participation, it is critical to ensure free access to information and full transparency in decision-making processes. Numerous technical cooperation programmes at the national level with the support of the United Nations are specifically designed to support national efforts to enable an environment where these rights can be fully realized and the fruits of those programmes enjoyed by all.

34. Women across regions and countries face deeply rooted challenges to their enjoyment of equal participation in decision-making and leadership processes, in particular women from marginalized and disadvantaged groups. Women are inadequately represented in relevant community organizations, local settings and legal decision-making bodies, which are essential avenues for ensuring participation. . Deeply rooted gender bias present in many societies may require that quotas for women be established in, inter alia, education and training programmes, and leadership positions in decision-making bodies, to achieve gender equality and the empowerment of women. For these reasons, effective technical cooperation programmes, and particularly those in the field of human rights, have to take into account, at all stages from design through to implementation, all these limitations and challenges, such as mobility, resources, caregiving responsibilities and lack of familiarity with policies, to ensure that they do not constrain or limit the active participation of women at any level. Some of the effective practices to ensure women's participation include, for example, actively looking for women's inputs during the discussions, making sure that women receive appropriate information to participate, offering child care during the participatory processes, scheduling meetings in a way that is compatible with women's care responsibilities and where necessary, holding exclusive sessions for women.

35. During its visits to field presences and discussions held with State institutions, the Board observed several obstacles to meaningful representation and innovative practices to promote participation. Regrettably, opportunities to address properly the obstacles or to share promising experiences are often limited. States and key stakeholders have recognized in private meetings with the Board the key convening role that the Office plays in supporting these consultative and participatory processes. The most recent report of the High Commissioner on technical assistance to support inclusive and participatory

development and poverty reduction at the national level (A/HRC/28/42) included relevant examples in the area of participation, some of which possible by the Fund, that could inspire other States seeking support in this critical area.

36. The Board had the opportunity during its field session to visit some of the examples included in the above-mentioned report and other relevant projects, and to discuss with the relevant stakeholders and beneficiaries the ways in which effective and meaningful participation had been and could be promoted through technical cooperation and advisory services support. For example, during its visit to Mexico in 2014, the Board discussed with the Ministry of the Interior the programmes in place with support from the OHCHR country office for the development of the national human rights plan of action and State-level plans, including the mechanisms for participation. In Coahuila, the Board had the opportunity to see closely and discuss, with the Governor of the State and other relevant stakeholders, the operationalization of the human rights plan of action at the State level. During its visit to Mauritania in 2013, the Board learned about the capacity-building efforts of the OHCHR country office in support of community coalitions working against slavery, succeeding in having laws strengthened and working towards more effectively enforcement. In its recent visit to Cambodia, the Board was particularly pleased by the level of recognition by the authorities in the Ministry of the Interior of the convening role that the Office in Cambodia was playing to support the Government in holding provincial dialogues and animating participation of relevant groups, with particular emphasis on disadvantaged groups, regarding critical current human rights issues, such as land rights.

37. The underrepresentation of most discriminated groups, including ethnic minorities, indigenous peoples' and other most disadvantaged groups, in both consultations and decision-making processes remains a serious issue to be addressed when it comes to ensuring meaningful and effective participation. Increased social exclusion and a widening socioeconomic gap between the majorities and these groups is a challenge that needs significantly better policies and action by all stakeholders involved. Capacity-building and institutional support for individuals and organizations representing the most vulnerable and discriminated groups needs to become more visible throughout the thematic strategies for OHCHR offices and the programmes in place to implement these strategies. The Office has developed on the basis of its years of experience numerous good practices through technical cooperation programmes on, for example, indigenous peoples' participation; representation and participation of persons belonging to minorities; and the full involvement of persons with disabilities in standard-setting processes. The Board encourages the Office to continue to build on these experiences, joining forces also with the experience of other relevant organizations, including regional human rights institutions and mechanisms.

B. Synergy and partnerships with other United Nations entities

38. The Board continues to focus much of its attention on synergy and partnerships among United Nations agencies and programmes in the area of technical cooperation in the field of human rights during its sessions, in particular during its visits to OHCHR presences in countries. The promotion and protection of human rights is one of the three pillars of the United Nations and so is a responsibility shared by all United Nations agencies. Each can contribute within its own mandate, complementing the work of the High Commissioner, for greater effectiveness of the United Nations Organization as a whole. The Board is also aware of the very few resources available to the High Commissioner in both absolute and relative terms when compared with many other United Nations agencies, and of the need, for the most practical of reasons, to encourage other United Nations agencies to share the burden of implementing the human rights pillar.

39. Through the latest discussions with United Nations Resident Coordinators and representatives of other United Nations agencies and programmes (for example from Malaysia (via teleconference) and Thailand in 2015, as in Mexico in 2014 and previously in Tunisia and Mauritania), the Board has had the opportunity to study the extent to which the programme, priority focus and activities of the various types of OHCHR presences are also in line with or respond to the main human rights issues and the demands from a variety of country partners, and how they relate and are linked to the United Nations development framework, other programming tools and joint United Nations development efforts on the ground.

40. The Board has observed that the Office has managed to be extremely innovative and active, taking into account the extremely limited at is disposal, and found it to be a reliable and critical partner in joint capacity-building and advisory services provided by the United Nations at the request of Governments.

41. The discussions with, for example, the Resident Coordinator in Malaysia served in particular to gain an insight into the expectations facing the Office from the United Nations system and how the Office can provide support from a regional presence, such as the Regional Office for South-East Asia in Bangkok. During the discussions, the role of the Office in ensuring the mainstreaming of human rights throughout the work of United Nations country teams was particularly stressed, as was the capacity of the Office to provide timely and substantive advice on relevant normative human rights issues. All United Nations partners, however, recognized that an adequately staffed and mandated presence of the Office is a key factor in providing adequate assistance to jointly develop technical cooperation programmes at the request and in close cooperation with relevant State entities.

C. Measuring results of technical cooperation, and the response of the Office of the High Commissioner

42. At its most recent sessions in Geneva and particularly in the field, the Board witnessed how OHCHR has now in practice moved to measuring impact at the State level and to monitoring programme implementation through the full use of the performance monitoring system by all its presences and all structures at Headquarters. The utility of the system has been further proven in 2015 during the programme review conducted in the context of the Office's efforts to address its difficult financial situation. Board members are very encouraged by the impressive results that the increased, systematic and better use of the system is helping to achieve.

43. During its sessions in the field in 2015, the Board has been able to observe in particular how the system, which interlinks planning, monitoring, the production of reports and sharing experiences, allows the Office to monitor the implementation of its programmes in real time and to make the adjustments necessary to ensure the achievement of the defined results. The Board also finds it encouraging that field presences increasingly use the system to identify examples of good practices to use when designing their own programmes.

44. The Board commends OHCHR for its efforts to ensure the full functioning and use of the system by all its planning entities. It believes that the next challenges for OHCHR are to improve the production of reports by upgrading the capacity of staff to upload accurate and relevant information; and to further improve use of the system by senior managers in their daily work and decision-making. Although the upgrades implemented in recent years, including the financial module, are assessed very favourably by the Board, there is a need to develop them further and to align them with other administrative and financial tracking

systems of the Office. The Board encourages the United Nations Secretariat to ensure that the transition of OHCHR to the new Umoja resource planning system will not have a negative impact on the achievements of the performance monitoring system, but will rather strengthen it further.

D. Guidance tools on technical cooperation

45. As one of the vehicles used by OHCHR to fulfil the mandate of the High Commissioner, technical cooperation continues to be an effective means for overcoming gaps in-country knowledge and capacity, and for supporting efforts made by the country to address them. For technical cooperation programmes to be effective, they need to be based on a comprehensive situation analysis and a thorough assessment of capacity and other critical shortfalls. The efforts and increased guidance of the Office towards strengthening its planning and programming guidance tools (in particular in preparation of the organizational management plan for the period 2014-2017) have further developed its capacities to respond better to the needs identified and the requests for technical and advisory services on the ground by, for example, developing further the process of consultation with main stakeholders.

46. OHCHR has continued to develop and provide specific reference tools relevant to technical cooperation in order to guide its field presences and staff on the approach of OHCHR to technical cooperation and to ensure access to updated OHCHR policies, practices and procedures relating to technical cooperation and results-based management.

47. The Board found the efforts of the Office to use the gains and experiences reflected in a study on the protection impact of United Nations human rights field presences[1] particularly relevant to strengthening the capacities of the staff of the Office in its field presences through follow-up training and seminars. In all its visits, the Board has observed with satisfaction the recognition by State entities, national human rights institutions and civil society organizations of the engagement efforts of the Office and its staff, and its ability to maintain trust while being able to discuss difficult issues frankly, building on its observance and monitoring work, and to adapt to changing environments without losing focus. The OHCHR office in Mexico, for example, which receives support from the Fund, has benefited from these capacity-building efforts. The Board welcomes the plans of the Office to continue to strengthen capacities on the ground, building on these useful experiences and lessons learned.

48. The Voluntary Fund has traditionally provided support for the deployment of human rights advisers to United Nations Resident Coordinators and country teams. Since 2012, all deployments are operated under a new framework formulated by the United Nations Development Group and supported by a dedicated multi-donor trust fund For this reason, human rights advisers deployed prior to the endorsement of the framework in 2012 policy (and therefore supported financially by the Voluntary Fund) work alongside advisers by the above- mentioned multi-donor trust fund. The Board has commended the Office for its efforts to align all deployments, regardless of the source of funding, with the mentioned policy. It also welcomes recent initiatives aimed at strengthening the results-based management capacities of human rights advisers. As the number of deployments has increased in response to growing demand, such initiatives as the global workshop for human rights advisers, held in Geneva from 30 June to 4 July 2014 and aimed at

[1] Liam Mahony and Roger Nash, *Influence on the Ground: Understanding and Strengthening the Protection Impact of United Nations Human Rights Field Presences* (Brewster, Massachusetts, Fieldview Solutions, 2012).

strengthening the capacity of all human rights advisers through the sharing of experiences and practices, are most welcome.

49. The Board encourages OHCHR to continue to develop this type of initiative for all types of field presences receiving support from the Voluntary Fund for Technical Cooperation, to complete the manual on technical cooperation, and to update it regularly.

E. Main findings, challenges identified and recommendations

50. During its visits to OHCHR field presences, the thematically focused sessions in Geneva, the follow-up engagement and advice on the implementation of the thematic strategies within the programming cycle 2014-2017 and the increasing number of opportunities to observe the complementarities of the support through the two funds, the Board has broadened its overview of the programmes of the Office, its technical cooperation components and the connections with other work of the Office and of other United Nations programmes. This has substantially expanded the opportunities for strategic and policy advice on the technical cooperation components of the support provided by OHCHR.

51. Through its discussions with all partners on the ground, the Board has been able to confirm its view that the often artificial separation between the various types of work that OHCHR undertakes to support States in their responsibility to ensure fulfilment of human rights for all does not always reflect the reality of needs and requests on the ground. Another important role played by the Office is that of guiding, through technical cooperation and advisory services, not only States and other national stakeholders but also other parts of the United Nations family on ways to ensure the promotion and protection of human rights in their programmes. These elements should be taken into account to fully understand the term "technical cooperation" in the field of human rights, to be provided by OHCHR in full accordance with the mandate of the High Commissioner. The Board very much hopes that its views regarding the components of effective technical cooperation will help to further a common understanding, bridging the gap between what external audiences often expect and understand by technical cooperation and what the Office and the United Nations in general can do to provide at the current times and within their respective mandates.

52. The Board is impressed by the innovative approaches and the large number of good practices and lessons learned across the Office that could further strengthen the programme of the Office and indeed of other United Nations agencies, if adequately and timely shared within regions and across regions. While understanding the lack of resources and the challenges on the ground for many members of the United Nations family, the Board has been particularly encouraged by the commitments and the capacity of OHCHR staff on the ground to confront challenges and to develop innovative solutions and proposals. Over the past five years, the Board has noted an increased effort by the Office to promote the sharing of good practices in the context of its planning exercise and through important internal mechanisms, such as the annual meeting of heads of field presences, in Geneva. This practice is most welcome and should be further strengthened, and the tools for sharing experiences further developed.

53. The Board stresses the importance of continuing to strengthen the capacities and abilities of the staff of OHCHR, particularly of those working in the field. The Board would recommend that the guidance issued on resource mobilization at the field level be accompanied also by a strengthened capacity-building programme for those engaged in fundraising at the local level to ensure that the efforts made yield the expected results.

54. The Secretariat should support OHCHR to put in place adequate mechanisms for career development, taking into account the sometimes extremely difficult circumstances in which staff operate, in particular in crisis situations. The new measures taken by the Secretariat to ensure mobility of OHCHR and other United Nations staff members between duty stations are most welcome. The Board would like to ensure that these measures do not weaken but rather strengthen and support the years of investment in building robust human rights expertise in the staff of the United Nations. This would be critical for the Office's capacity to effectively meet the increasing requests from Member States for technical cooperation.

IV. Status of funding and donors

55. At its meetings in October 2014 and February 2015, the Board was updated on the overall financial status of OHCHR and its donors, the financial situation ofr 2014 of the Voluntary Fund for Technical Cooperation in the Field of Human Rights and its functioning in the overall funding system, including interlinkages with other extrabudgetary resources, and the funding projections and proposed work plan for the Fund for 2015. Expenditures under the Fund had again increased throughout 2014 without being matched by financial contributions, a situation that the Board brings constantly to the attention of the Human Rights Council in its annual updates.

56. In 2014, the total expenditure of the Voluntary Fund for Technical Cooperation in the Field of Human Rights amounted to $20.2 million. The Fund received a total of $17.7 million in voluntary contributions, of which $9.7 million were earmarked and $8 million were allocated to the Fund from unearmarked contributions to OHCHR. The resulting deficit of $2.5 million at the end of 2014 was covered from other existing reserves. During this period, the Fund continued to provide resources for technical cooperation to build strong human rights frameworks at the national level in 30 regions, States and territories. This included support for 16 human rights advisers (in Chad, Ecuador, Honduras, Kenya, Madagascar, the Niger, Papua New Guinea, Paraguay, Maldives, the Republic of Moldova, the Russian Federation, Rwanda, South Caucasus (Georgia), Sri Lanka, Timor-Leste and Ukraine); eight human rights components of peace missions (in Afghanistan, Côte d'Ivoire, Darfur (Sudan), Guinea-Bissau, Haiti, Liberia, Libya and Somalia) and six country/stand-alone offices (Bolivia (Plurinational State of), Kosovo,[4] Mauritania, Mexico, Togo and the State of Palestine). Details of contributions and programmes are provided in the annual report of OHCHR for 2014.

57. Through the Fund, the Office has facilitated efforts made at the country level to incorporate international human rights standards into national laws, policies and practices, and contributed to the establishment and strengthening of national capacities to adhere to these standards. Strengthening the administration of justice and increasing capacities to promote gender equality and women's rights have also been the focus of numerous programmes receiving support from the Fund. Through the newly established thematic priority on widening democratic space, greater engagement on the establishment and functioning of responsive national human rights institutions and on human rights education programmes have been facilitated. United Nations Resident Coordinators and country teams have also seen their human rights capacity strengthened by the continuing deployment of human rights advisers. Detailed information on income and expenditure

[4] Reference to Kosovo should be understood in full compliance with Security Council resolution 1244 (1999) and without prejudice to the status of Kosovo.

under the Voluntary Fund, its financial status in 2014 and a list of donors and contributors are annexed to the present report (see annexes I – IV).

58. In its sessions and meetings with OHCHR and Member States, the Board continues to underline the importance of ensuring sustainable increased contributions to OHCHR and to the Fund, and reiterates its view that an increase in unearmarked funds will allow OHCHR to be more flexible in implementing identified priorities and to better respond to increasing needs.

Annex I

[English only]

Voluntary Fund cost plan and expenditures: 2013

OHCHR EXTRABUDGETARY RESOURCES *(31 December 2013)*

Voluntary Fund for Technical Cooperation - Status of cost plan and expenditure for 2013

IMIS Project Number	V. F. for Technical Cooperation (AHA) Field Operations & Technical Cooperation Division	Number of staff	Cost plan 2013 (USD) Staff costs	Activities	Total	Expenditure Total USD $
	(a) Human Rights Advisers in UNCT (17):					
	Activities implemented by OHCHR HRAs in the UNCT in:					
B-414	Russian Federation	6	572,379	715,742	1,286,121	1,056,853
B-409	South Caucasus, Georgia	3	810,277	308,899	898,176	711,233
B-304	Moldova	2	244,000	109,418	353,418	347,564
B-341	Ukraine	1	199,410	97,167	296,577	225,636
B-441	Rwanda	3	534,854	112,023	646,857	538,437
B-488	Kenya	3	444,927	395,585	840,512	817,483
B-503	Niger	2	362,940	68,199	431,139	390,006
B-584	Chad	3	559,921	128,874	688,795	308,655
B-539	Madagascar	3	240,586	124,849	365,435	320,084
B-436	Ecuador	3	375,340	205,262	580,602	531,583
B-351	Paraguay	4	526,927	231,808	758,735	724,485
B-532	Honduras (cost-sharing with UNDP)	5		222,244	222,244	239,358
B-502	Papua New Guinea	5	405,310	156,500	562,060	227,132
B-439	Sri Lanka	3	249,179	197,480	446,659	389,120
B-630	Maldives	1	33,258	86,835	120,093	45,082
B-652	Timor Leste	3	83,959	251,479	335,438	188,699
B-617	Malawi	1	105,375	75,482	180,857	
	sub-total HR Advisers	*51*	*5,330,600*	*3,402,894*	*8,733,498*	*7,041,208*
	(b) Human Rights Components of UN Peace Missions (10)					
	Activities implemented by UN Peace Missions' Human Rights Units in:					
B-443	Haiti			140,678	140,678	113,594
B-421	Afghanistan	2	167,085	285,717	452,802	430,288
B-642	Afghanistan - Afghan people dialogue on Peace (Belgium)			170,147	170,147	170,000
B-447	Cote d'Ivoire			166,110	166,110	125,897
B-444	Liberia			101,361	101,361	100,965
B-451	Sierra Leone	11	393,446	303,511	696,997	692,264
B-451	Somalia	4	379,497	153,538	533,035	494,531
B-633	Somalia - activities funded by Austria, ADA	2	127,191	29,194	156,385	99,378
B-478	Darfur, Sudan (activities funded by Switzerland)			28,250	28,250	11,009
B-445	South Sudan			484,092	484,092	457,004
B-482	Guinea Bissau			70,625	70,625	58,472
B-583	Central African Republic			31,778	31,778	22,600
B-611	Libya			191,377	191,377	51,022
	sub-total Peace Missions	*19*	*1,067,217*	*2,136,380*	*3,203,597*	*2,806,825*
	(c) Country /Standalone Offices (6)					
B-305	Mauritania	9	780,631	535,413	1,316,044	1,225,894
B-418	Togo	10	916,294	581,376	1,497,670	1,452,893
B-404	State of Palestine	22	2,287,903	729,623	3,017,526	2,933,957
B-633	East Jerusalem, public information and legal analysis (funded by Switzerland)	4	542,400	94,242	636,642	231,057
B-419	Bolivia	11	1,022,563	260,751	1,283,314	1,213,672
B-627	Bolivia - Addressing socio-political conflict project (EU funding)	0		504,270	504,270	413,030
B-401	Mexico	24	2,006,742	413,778	2,420,520	2,345,679
B-420	Kosovo (standalone office)	9	758,169	113,974	872,143	733,421
	sub-total Country /Standalone Offices	*89*	*8,314,702*	*3,233,427*	*11,548,129*	*10,549,605*
	Adjustment related to 2012 prior-year expenditure (liquidation of obligation)					*(167,018)*
	Sub-Total	*159*	14,712,519	8,772,705	23,485,224	20,296,620
	Total (including 13% PSC)			23,485,224		87%

Annex II

[English only]

Voluntary Fund cost plan and expenditures: 2014

OHCHR EXTRABUDGETARY RESOURCES *(31 December 2014)*

Voluntary Fund for Technical Cooperation - Status of cost plan for 2014

IMIS Project Number	V. F. for Technical Cooperation (AHA)		Cost plan 2014 (USD)			Expenditure
	Field Operations & Technical Cooperation Division	Number of staff	Staff costs	Activities	Total	Total USD
	(a) Human Rights Advisers in UNCT (16) *					
P.414	Russian Federation	6	586,125	646,143	1,232,268	1,134,234
P.469	South Caucasus, Georgia	7	538,282	315,585	853,867	728,996
P.454	Moldova	2	248,998	92,354	341,352	336,303
P.541	Kosovo	1	200,512	38,817	239,329	284,685
P.441	Rwanda	3	312,804	107,463	420,267	379,595
P.185	Kenya	5	507,128	341,652	848,780	792,938
P.505	Niger	2	307,282	61,374	428,656	271,559
P.584	Chad	3	287,664	132,497	420,161	388,026
P.537	Madagascar	3	228,210	169,388	397,598	290,047
P.456	Colombia	3	366,233	195,917	562,348	468,925
P.551	Philippines	3	357,112	228,003	585,115	591,083
P.552	Honduras - co-sharing with UNAIDS	3	213,882	7,944	221,826	202,565
P.572	Papua New Guinea	3	415,798	244,894	660,692	570,357
P.439	Sri Lanka	3	263,475	225,781	489,256	472,286
P.616	Maldives	1	34,490	23,278	57,768	48,389
P.642	Timor Leste	3	98,814	237,598	336,412	257,642
	sub-total HR Advisers	*61*	*5,026,807*	*3,068,688*	*8,095,498*	*7,217,630*
	(b) Human Rights Components of U.N Peace Missions (9)					
P.437	Haiti	5	348,263	180,797	528,062	437,152
P.423	Afghanistan	0		310,388	310,388	268,525
P.442	Côte D'Ivoire			167,771	167,771	166,149
P.443	Liberia			69,563	69,563	68,871
P.451	Somalia	2	310,479	141,879	452,358	330,542
P.478	Darfur, Sudan (activities funded by Switzerland)			59,325	59,325	59,325
P.753	South Sudan			137,307	137,307	61,641
P.582	Guinea Bissau			70,659	70,659	70,625
P.581	Central African Republic					
P.631	Libya			190,932	190,932	174,374
	sub-total Peace Missions	*9*	*698,744*	*1,287,621*	*1,986,365*	*1,617,204*
	(c) Country / Standalone Offices (6)					
P.305	Mauritania	9	585,772	710,481	1,475,253	1,260,950
P.418	Togo	10	1,130,756	519,565	1,650,321	1,572,851
P.404	State of Palestine	22	2,454,856	818,053	3,272,909	3,250,270
P.635	Fact Sensheets, public information and legal analysis - funded by Switzerland	4	539,615	14,464	554,079	379,278
P.425	Bolivia	11	1,188,223	271,233	1,459,456	1,369,044
P.625	Bolivia - Addressing socio-political conflict project (EU funding)	0		388,382	388,382	351,832
P.461	Mexico	24	2,124,975	424,814	2,549,789	2,399,665
P.420	Guatemala (standalone office)	9	797,256	104,911	902,141	762,996
	sub-total Country / Standalone Offices	*89*	*8,991,421*	*3,260,909*	*12,252,330*	*11,346,886*
	Sub-Total	145	14,716,972	7,617,218	22,334,190	20,201,720
	Total (including 13% PSC)		22,334,190			90%

* In addition, six Human Rights Advisers are being funded in 2014 by contributions received from MPTF/UNDG under the OHCHR-owned fund (HCA).
In a joint standard budget of US$ 10,000,000 (12 HRAs in Jamaica, Dominican Republic, Bangladesh, Timor Leste, Maldives, Tanzania, Zambia, Sierra Leone, Nigeria, Malawi, the Philippines, and 2 Regional Advisers in Panama and Bangkok)

Annex III

[English only]

Financial status of the Voluntary Fund: 2014

Office of the High Commissioner for Human Rights
United Nations Voluntary Fund
for Technical Cooperation (AHA)

Statement of Income and Expenditure
for the period 1 January - 31 December 2014 (preliminary closing)

			USD
I. Income			
Voluntary contributions in 2014			17,729,934.33
Miscellaneous and interest income			322,136.28
Total income			**18,052,070.61**
II. Expenditure */	**Budget 2014 USD**	**Allotments USD**	**USD**
Staff costs	13,023,869	12,090,852	11,805,738.70
Consultants' fees and travel		608,843	538,645.49
Travel of representatives		69,181	67,872.00
Travel of Staff		677,116	631,606.70
Contractual Services		573,206	552,388.41
General operating expenses		1,533,627	1,515,358.74
Supplies & Materials	Non staff costs	475,408	425,646.27
Grants, contributons and seminars	6,760,175	2,420,646	2,362,350.71
Programme Support Costs	2,550,146	2,378,625	2,302,113.22
	22,334,190	**20,827,504**	
Total expenditure		**90.5%**	**20,201,720.24**
Net excess/(shortfall) of income over expenditures for the period			**(2,149,649.63)**
Opening Balance 1.01.2014			**13,437,027.70**
Miscellaneous adjustments/savings/refunds to donors			**1,856,661.89**
Loss on exchange			**(159,451.97)**
Total fund balance as at 31.12.2014			**12,984,587.99**

**/ Includes disbursements and obligations*

Estimated Net funds to be made available for activities in 2015	10,144,209.00
PSC (13%)	1,318,747.00
Operating reserve (15%)	1,521,631.00
Total funds available for 2015 (with PSC & Op. reserve)	**12,984,587.00**

Annex IV

[English only]

List of donors and contributors

Voluntary Fund for Technical Cooperation (VFTC) Voluntary contributions in 2014* (as at 31 December)	
Australia AUSAid (Timor Leste)	87,260
Belgium (Côte d'Ivoire)	133,690
Estonia (Ukraine)	37,360
European Union (strengthening the Judiciary in Bolivia)	279,167
European Union (unearmarked allocation by OHCHR)	1,251,565
Finland	1,001,252
France (Mauritania)	68,776
Germany	1,753,513
Germany (OPT)	797,500
Germany (Ukraine)	622,665
India	100,000
Japan	150,000
Kuwait	50,000
Liechtenstein	41,451
Lithuania (Ukraine)	24,783
Netherlands (Ukraine)	100,000
Norway (unearmarked allocation by OHCHR)	3,336,670
Organisation Internationale de la Francophonie (CAF)	47,554
Poland (Ukraine)	48,211
Portugal	100,000
Russia	350,000
Sweden (unearmarked allocation by OHCHR)	3,082,614
Sweden (Kenya)	540,833
Switzerland (OPT Office in East Jerusalem) - Pledge	550,000
Switzerland (CHF 1.5 million)	1,578,947
Switzerland (Ukraine)	200,000
Turkey (Ukraine)	50,000
UNDP Moldova	9,000
USAID Mexico	87,124
United States of America	1,250,000
TOTAL	17,729,934

* Include funds earmarked by donors to the VFTC and/or to OHCHR activities financed through the VFTC, as well as unearmarked funds allocated to the VFTC by OHCHR.